

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence for Application No. 09/710,487 is being electronically transmitted to Technology Center 2472, via EFS-WEB, on March 12, 2010.

/Charles R. Figer, Jr./  
Charles R Figer, Jr., Reg. No. 62,518

March 12, 2010  
Date

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hench et al. Confirmation No.: 5334  
Serial No.: 09/710,487  
Filing Date: November 10, 2000  
Examiner: Anh Vu H Ly  
Art Unit: 2472  
Title: METHOD AND APPARATUS FOR THE PREDICTION AND  
OPTIMIZATION IN IMPAIRED COMMUNICATION SYSTEM  
Attorney Docket: VOY-030

Cincinnati, Ohio

March 12, 2010

**AMENDMENT UNDER 37 C.F.R. § 1.111**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Non-Final Office Action mailed December 14, 2009. The Examiner has indicated that claims 1, 2, 4, 6-20, 22, 24-31, 33 and 35-44 are pending in the application. Claims 1, 2, 4, 6-20, 22, 24-31, 33 and 35-44 stand rejected and claim 43 is objected to. The present response includes the following:

|                           |              |
|---------------------------|--------------|
| Amendments to the Claims: | Pages 2 - 8  |
| Remarks:                  | Pages 9 - 14 |
| Attachments:              | None         |